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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Robert David Freeman, Thomas Edward Berg, David William Niss,  
Peter Jeffrey Raymond

Assignee: DataPlay, Inc.

Title: Tilt Focus Method And Mechanism For An Optical Drive

Serial No.: 09/815,377 Filing Date: March 21, 2001

Examiner: Unknown Group Art Unit: Unknown

Docket No.: M-8745-1P US

**RECEIVED**

JUN 25 2002

Technology Center 2600

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
AND  
CHANGE OF ADDRESS AND  
REQUEST TO CHANGE ATTORNEY DOCKET NUMBER**

Sir:

The above-identified assignee, a Delaware corporation, hereby revokes all powers of attorney previously given and appoints the attorney(s) and/or agent(s) identified by the following Customer Number to prosecute the above-identified application and to transact all business in the United States Patent and Trademark Office in connection therewith:

Customer Number 24251



Please address all future correspondence regarding this application to:

Gary Edwards  
Skjerven Morrill LLP  
25 Metro Drive, Suite 700  
San Jose, California 95110

LAW OFFICES OF  
SKJERVEN MORRILL LLP  
25 METRO DRIVE  
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SAN JOSE, CA 95110  
(408) 453-9200  
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Please direct all telephone calls to:

Gary J. Edwards  
Telephone No.: 408/453-9200  
Fax No.: 408/453-7979

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Please use the new attorney docket number "M-8745-1P US" in all future correspondence in the above application.

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**ASSIGNEE CERTIFICATION UNDER 37 CFR 3.73(B)**

The undersigned representative of the above-identified assignee certifies that the above-identified assignee is the assignee of the entire right, title and interest in the above-identified patent application by virtue of a chain of title from the inventor(s) of the above-identified patent application to the above-identified assignee as shown below:

1. From: Robert David Freeman, Thomas Edward Berg, David William Niss and Peter Jeffrey Raymond To DataPlay, Inc. The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the above-identified assignee.

6/4/02  
Date

Name: David H. Davies  
Title: Chief Technical Officer

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25 METRO DRIVE  
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SAN JOSE, CA 95110  
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## ASSIGNMENT

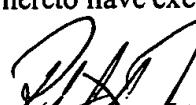
WHEREAS, we, Robert David Freeman of 4747 Anne Place, Erie, Colorado 80516, Thomas Edward Berg of 4801 Chippendale Drive, Fort Collins, Colorado 80526, David William Niss of 5466 La Plata Circle, Boulder, Colorado 80301, and Peter Jeffrey Raymond of 7501 Weld County Road 7, Erie, Colorado 80516, have invented a certain new and useful invention entitled "TILT FOCUS METHOD AND MECHANISM FOR AN OPTICAL DRIVE", for which an application for Letters Patent of the United States has been prepared for filing, said application being identified as Attorney File No. 4154-11-CIP;

NOW THEREFORE, be it known that we, the said inventors, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, DataPlay, Inc., a Delaware corporation having a place of business at 2560 55<sup>th</sup> Street, Boulder, Colorado 80301-5706, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty, and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; we also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; we warrant that we have made no assignment of the invention, application or patent therefor to a party other than DataPlay, Inc. and we are under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and we further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

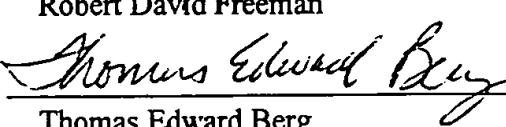
The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to DataPlay, Inc., its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date indicated hereunder.

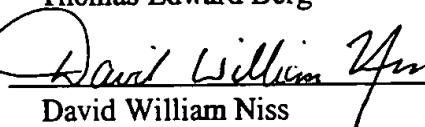
Date: 3/19/01

By:   
Robert David Freeman

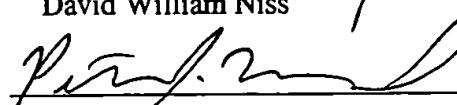
Date: 3/19/01

By:   
Thomas Edward Berg

Date: 3/19/01

By:   
David William Niss

Date: 3/19/01

By:   
Peter Jeffrey Raymond

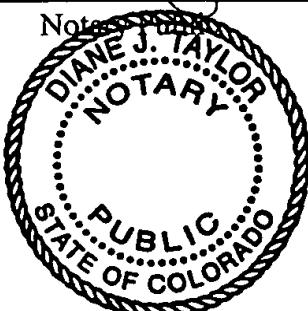
STATE OF COLORADO )  
COUNTY OF ) ss.  
                )

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Before me, a Notary Public in and for said County and State, personally appeared Robert David Freeman, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 19<sup>th</sup> day of March, 2001.

My commission expires: 2/14/2005



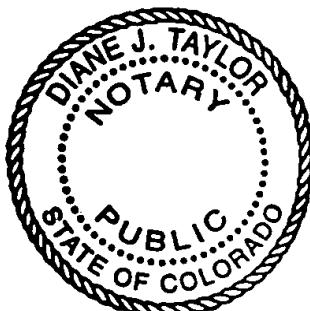
STATE OF COLORADO )  
                    )  
COUNTY OF         ) ss.  
                    )

Before me, a Notary Public in and for said County and State, personally appeared Thomas Edward Berg, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 19<sup>th</sup> day of March, 2001.

My commission expires: 2/14/2005

Notary Public



My Commission Expires 2/14/2005

STATE OF COLORADO )  
COUNTY OF ) ss.  
                )

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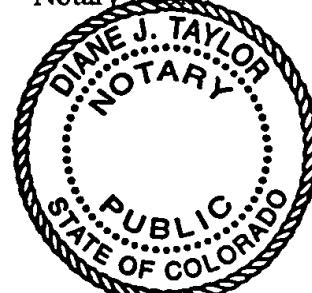
Before me, a Notary Public in and for said County and State, personally appeared David William Niss, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 19<sup>th</sup> day of March, 2001.

My commission expires: 2/14/2005



Notary Public



STATE OF COLORADO )  
COUNTY OF ) ss.  
                )

My commission expires: 2/14/2005

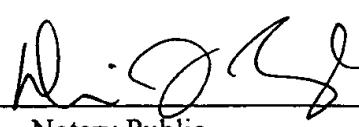


My Commission Expires 2/14/2005

Before me, a Notary Public in and for said County and State, personally appeared Peter Jeffrey Raymond, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 14<sup>th</sup> day of March, 2001.

My commission expires: 2/14/2005



Notary Public

